



Substitute House Bill No. 5409

Public Act No. 12-105

***AN ACT CONCERNING THE POSSESSION OF CERTAIN ANIMALS
AND PET SHOPS AND CONSUMER REIMBURSEMENT FOR
CERTAIN VETERINARY EXPENSES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 22-344b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(b) (1) If, [(1)] (A) within twenty days of sale, any such dog or cat becomes ill or dies of any illness which existed in such dog or cat at the time of the sale, or [(2)] (B) within six months of sale, any such dog or cat is diagnosed with a congenital defect that adversely affects or will adversely affect the health of such dog or cat, such licensee shall: [,] (i) Reimburse such consumer not more than five hundred dollars for services and medications provided to such dog or cat by any veterinarian licensed pursuant to chapter 384 for the treatment of such illness or congenital defect upon the presentation by such consumer to such licensee of a certificate from such veterinarian that such dog or cat suffers or suffered from such illness or congenital defect. No licensee may require the consumer to return such dog or cat to such licensee to receive such reimbursement, or (ii) at the option of [the] such consumer, replace the dog or cat or refund in full the purchase

Substitute House Bill No. 5409

price of such dog or cat: [(A)] (I) In the case of illness or such congenital defect, upon return of the dog or cat to the pet shop and the receipt of a certificate from a veterinarian licensed under chapter 384 and selected by the consumer, stating that the dog or cat is ill from a condition which existed at the time of sale, or suffers from such congenital defect, and [(B)] (II) in the case of death, the receipt of a certificate from a veterinarian licensed under chapter 384 and selected by the consumer, stating that the dog or cat died from an illness or a congenital defect which existed at the time of sale. [Any costs for services and medications provided by a licensed veterinarian incurred by the consumer for such illness or such congenital defect shall be reimbursed to the consumer by such licensee in an amount not to exceed five hundred dollars.] The presentation of such certificate shall be sufficient proof to claim reimbursement or replacement and the return of such deceased dog or cat to the pet shop shall not be required. No such refund or replacement shall be made if such illness or death resulted from maltreatment or neglect by a person other than the licensee or such licensee's agent or employee. A licensee shall not be subject to the obligations imposed by this subsection for the sale of a cat where such cat has been spayed or neutered prior to its sale.

(2) Each pet shop licensee who sells dogs or cats shall post a statement of customer rights pursuant to this section in a location that is readily visible to the public and also provide a copy of such statement to any purchaser of a dog or cat at the time of purchase. The commissioner shall prescribe the content of such statement. Any statement of customer rights posted pursuant to this section shall be printed in black lettering of not less than twenty point size upon a white background.

Sec. 2. Subsection (f) of section 22-344 of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

Substitute House Bill No. 5409

(f) The commissioner may, at any time, inspect or cause to be inspected by the commissioner's agents any such commercial kennel, pet shop, grooming facility or training facility, and if, (1) in the commissioner's judgment such kennel, pet shop, grooming facility or training facility is not being maintained in a sanitary and humane manner or in a manner that protects the public safety, (2) the commissioner finds that contagious, infectious or communicable disease or other unsatisfactory conditions exist, or (3) in the case of a pet shop, the commissioner finds any violation of the provisions of section 22a-381d, the commissioner may issue a fine to such commercial kennel, pet shop, grooming facility or training facility of not more than five hundred dollars for each animal that is the subject of such violation, may issue such orders as the commissioner deems necessary for the correction of such conditions and may quarantine the premises and animals. If the owner or keeper of such kennel, pet shop, grooming facility or training facility fails to comply with the regulations or orders of the commissioner, or fails to comply with any provision of the statutes or regulations relating to dogs or other animals, the commissioner may revoke or suspend such license. Any person aggrieved by any order issued under the provisions of this section may appeal therefrom in accordance with the provisions of section 4-183. Any person maintaining any commercial kennel, pet shop, grooming facility or training facility without having obtained a license for the same or after any such license has been revoked or suspended as provided herein shall be fined not more than two hundred dollars. The provisions of this section shall not apply to veterinary hospitals, except those boarding or grooming dogs for nonmedical purposes, and other establishments where all the dogs or animals were born and raised on the premises where they are kept for sale.

Sec. 3. Subsections (a) and (b) of section 26-40a of the general statutes are repealed and the following is substituted in lieu thereof

Substitute House Bill No. 5409

(Effective October 1, 2012):

(a) No person shall possess a potentially dangerous animal. For the purposes of this section, the following wildlife, or any hybrid thereof, shall be considered potentially dangerous animals:

(1) The felidae, including, but not limited to, the lion, leopard, cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat;

(2) The canidae, including, but not limited to, the wolf, and coyote;

(3) The ursidae, including, but not limited to, the black bear, grizzly bear and brown bear; and

(4) The hominidae, including, but not limited to, the gorilla, chimpanzee and orangutan.

(b) A primate that weighs less than thirty-five pounds at maturity and that was imported or possessed by a person in this state prior to October 1, [2003] 2010, shall not be considered a potentially dangerous animal pursuant to this section.

Sec. 4. Subsection (a) of section 26-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) Except as provided in subsection (c) of this section, no person shall import or introduce into the state, or possess or liberate therein, any live fish, wild bird, wild mammal, reptile, amphibian or invertebrate unless such person has obtained a permit therefor from the commissioner. Such permit may be issued at the discretion of the commissioner under such regulations as the commissioner may prescribe. The commissioner shall by regulation prescribe the numbers of live fish, wild birds, wild mammals, reptiles, amphibians or invertebrates of certain species which may be imported, possessed,

Substitute House Bill No. 5409

introduced into the state or liberated therein. The commissioner may by regulation exempt certain species or groups of live fish from the permit requirements. The commissioner shall by regulation determine which species of wild birds, wild mammals, reptiles, amphibians or invertebrates must meet permit requirements. The commissioner may totally prohibit the importation, possession, introduction into the state or liberation therein of certain species which the commissioner has determined may be a potential threat to humans, agricultural crops or established species of plants, fish, birds, mammals, reptiles, amphibians or invertebrates. The commissioner shall by regulation exempt from permit requirements organizations or institutions such as municipal parks, zoos, laboratories and research facilities maintained by scientific or educational institutions, museums, public nonprofit aquaria or nature centers where live fish, wild birds, wild mammals, reptiles, amphibians or invertebrates are held in strict confinement. For the purpose of this subsection and any regulation adopted pursuant to this subsection, ferrets (*Mustela putorius*), hedgehogs of the family *Erinaceidae*, genera *Atelerix*, sugar gliders (*Petaurus breviceps*) and degu (*Octodon degus*) shall not be deemed to be wild mammals.